



United States Government

**NATIONAL LABOR RELATIONS BOARD**  
**1099 14<sup>th</sup> STREET NW**  
**WASHINGTON DC 20570**

June 8, 2015

Re: The Neiman Marcus Group, Inc.  
Case 31-CA-074295

ORDER

The Charging Party's request to withdraw the above-referenced unfair labor practice charges is **denied**. The non-Board settlement agreement reached by the parties does not effectuate the purposes of the Act as it provides no remedy for the unfair labor practice violations found by the administrative law judge. *Flyte Tyme Worldwide*, 362 NLRB No. 46 (March 30, 2015). Accordingly, the case remains pending before the Board.<sup>1</sup>

By direction of the Board:

Farah Z. Qureshi  
Associate Executive Secretary

cc: Parties

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<sup>1</sup> Member Miscimarra adheres to the view expressed in his dissent in *Murphy Oil USA, Inc.*, 361 NLRB No. 72, slip op. at 22-35 (2014) (Member Miscimarra, dissenting), that class waiver agreements relating to statutes other than the National Labor Relations Act do not violate Sec. 8(a)(1) of the Act. Without reaching the merits of the alleged violations in this case, however, he agrees that the settlement agreement fails to remedy the pending unfair labor practice violations as found by the judge, which warrants denial of the request to withdraw the charges.